

**Notice of Allowability**

Application No.

10/790,791

Examiner

Joseph P. Martinez

Applicant(s)

AHN ET AL.

Art Unit

2873

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-17-06.
2. ☒ The allowed claim(s) is/are 1 and 3-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

1. Claim 3, line 1, after "the optical system according to claim", delete --2-- and add --1--. The Examiner's Amendment is to correct the obvious improper dependency of claim 3 on cancelled claim 2.

### ***Allowable Subject Matter***

Claims 1 and 3-28 are allowed.

The following is an examiner's statement of reasons for allowance: applicant's arguments are deemed persuasive and furthermore, the prior art taken alone or in combination fails to anticipate or fairly suggest the limitations of the claims, in such a manner that a rejection under 35 USC 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in independent claims 1, 11, 16 and 28.

Specifically regarding claim 1, Carlton et al. teaches the state of the art of an optical system.

But, Carlton et al. fails to explicitly teach a combination of all the claimed features including an angle control unit located at a position spaced apart from an optical axis of the lens to control an angle between the optical axis of the lens and the image producing surface, as claimed.

Specifically regarding claim 11, Carlton et al. teaches the state of the art of an optical system.

But, Carlton et al. fails to explicitly teach a combination of all the claimed features including an inclined optical system, comprising; an optical axis of the lens is disposed at a predetermined angle with the object, and wherein, when the optical axis is expressed by X, an intersection point between a first main surface of the lens, which faces the object, and the optical axis X is expressed by a first main point O1, and an intersection point between a second main surface of the lens, which faces the image producing surface, and the optical axis X is expressed by a second main point O2, when a first point on the object is expressed by A, a foot of the first point A perpendicular to the optical axis X is expressed by A0, a distance between the foot A0 and the first main point o1 is expressed by s2, an image of the first point A produced on the image producing surface is expressed by A', a foot of the image A' perpendicular to the optical axis X is expressed by A'0, and a distance between the foot A'0 and the second main point O2 is expressed by s'2, and when a second point on the object is expressed by C, a foot of the second point C perpendicular to the optical axis X is expressed by C0, a distance between the foot C0 and the first main point O1 is

Art Unit: 2873

expressed by  $s_3$ , an image of the second point C produced on the image producing surface is expressed by C', a foot of the image C' perpendicular to the optical axis X is expressed by C'0, and a distance between the foot C'0 and the second main point O2 is expressed by  $s'_3$ , the image producing surface is inclined relative to the optical axis X of the lens so that the distance  $s'_2$  is shorter than the distance  $s'_3$  when the distance  $s_2$  is longer than the distance  $s_3$ , as claimed.

Specifically regarding claim 16, Carlton et al. teaches the state of the art of an optical system.

But, Carlton et al. fails to explicitly teach a combination of all the claimed features including an angle control unit mounted to the body to push the base with respect to the body to control an angle between the optical axis of the lens and the image producing surface; and an elastic member to bias the body towards the base, as claimed.

Specifically regarding claim 28, Carlton et al. teaches the state of the art of an optical system.

But, Carlton et al. fails to explicitly teach a combination of all the claimed features including an angle control unit disposed on a first end of the body to control an angle between the lens and the image producing surface with respect to a second end of the body disposed opposite to the first end with respect to the image producing surface, as claimed.

As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph P. Martinez whose telephone number is 571-272-2335. The examiner can normally be reached on M-F 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2873

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM  
12-19-06



Hung Xuan Dang  
Primary Examiner